

DISTRICT COURT OF NASSAU COUNTY
FIRST DISTRICT : CRIMINAL PART

ORIGINAL

025681

THE PEOPLE OF THE STATE OF NEW YORK

- against -

FELONY COMPLAINT
DOCKET NO.

EDWARD LANCASTER
181 Gibson Avenue
Brentwood, NY

DOB: 1/09/42

Defendant.

STATE OF NEW YORK)
ss.:
COUNTY OF NASSAU)

Diana Melendez, being duly sworn, deposes and says that she is a Special Investigator in the Office of the District Attorney of the County of Nassau and upon information and belief, between on or about the 1st day of February, 1995, to on or about the 30th day of September, 1996, in the County of Nassau, State of New York, the defendant, EDWARD LANCASTER, aiding and abetting, and being aided and abetted by another, did violate Section 200.10 of the Penal Law of the State of New York (BRIBE RECEIVING IN THE THIRD DEGREE, a class D Felony) in that being a public servant, he did solicit, accept and agree to accept a benefit from another person upon an agreement or understanding that his vote, opinion, judgment, action, decision and exercise of discretion as a public servant will thereby be influenced, to wit:

The defendant, EDWARD LANCASTER, as Executive Director of the Town of North Hempstead Housing Authority, did solicit, accept and agree to accept new carpeting and windows installed at his personal residence from a contractor retained by the Town of North Hempstead Housing Authority, upon an agreement or understanding that Edward Lancaster's action as Executive Director would be influenced in that he would not require the contractor to reimburse the Town of North Hempstead Housing Authority for work not performed by the contractor.

COUNT TWO

That between on or about the 1st day of February, 1995, to on or about the 30th day of September, 1996, in the County of Nassau, State of New York, the defendant, EDWARD LANCASTER, did violate Section 200.35 of the Penal Law of the State of New York (RECEIVING UNLAWFUL GRATUITIES, a class A misdemeanor), in that at the time and place aforesaid, the defendant, a public servant, solicited, accepted, or agreed to accept a benefit for having engaged in official conduct which he was required or authorized to perform, and for which he was not entitled to any special or additional compensation, to wit:

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The defendant, EDWARD LANCASTER, as Executive Director of the Town of North Hempstead Housing Authority, accepted the installation of carpeting and windows at his personal residence from a contractor for having engaged in his official conduct as Executive Director for which the defendant was not entitled to any special or additional compensation.

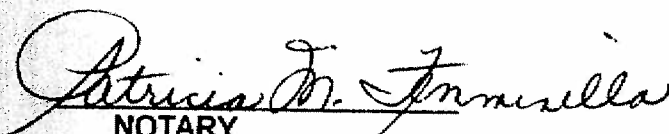
COUNT THREE

That between on or about the 1st day of February, 1995, to on or about the 30th day of September, 1996, in the County of Nassau, State of New York, the defendant, EDWARD LANCASTER, did violate Section 195.00(1) of the Penal Law of the State of New York (OFFICIAL MISCONDUCT, a class A misdemeanor), in that at the time and place aforesaid, the defendant, a public servant, with intent to obtain a benefit and deprive another person of a benefit, committed an act relating to his office but constituting an unauthorized exercise of his official functions, knowing that such act was unauthorized, to wit:

The defendant, EDWARD LANCASTER, as Executive Director of the Town of North Hempstead Housing Authority, accepted carpeting and windows installed at his personal residence from a contractor and refrained from requiring the contractor to reimburse the Town of North Hempstead Housing Authority for work not performed by the contractor.


DIANA MELENDEZ
District Attorney Investigator

Sworn to before me this
6th day of December, 2000


NOTARY

PATRICIA M. FEMMINELLA
NOTARY PUBLIC, State of New York
No. 30-4676943
Qualified in Nassau County
Commission Expires March 30, 19 2002
Nov

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- against -

EDWARD LANCASTER
181 Gibson Avenue
Brentwood, NY

DOB: 1/09/42

Defendant.

ORIGINAL

STATE OF NEW YORK)
) ss.:
COUNTY OF NASSAU)

Diana Melendez, being duly sworn, deposes and says that she is a Special Investigator in the Office of the District Attorney of the County of Nassau and upon information and belief, between on or about the 1st day of June, 1998, to on or about the 30th day of June, 1998, in the County of Nassau, State of New York, the defendant, EDWARD LANCASTER, did violate Section 195.00(1) of the Penal Law of the State of New York (OFFICIAL MISCONDUCT, a class A misdemeanor) in that at the time and place aforesaid, the defendant, a public servant, with intent to obtain a benefit and deprive another person of a benefit, committed an act relating to his office but constituting an unauthorized exercise of his official functions, knowing that such act was unauthorized, to wit:

The defendant, EDWARD LANCASTER, as Executive Director of the Village of Freeport Housing Authority, accepted carpeting installed at his personal residence from a contractor in exchange for awarding the contractor a construction contract to perform work for the Village of Freeport Housing Authority.

Diana Melendez
DIANA MELENDEZ
District Attorney Investigator

Sworn to before me this
26 th day of January, 2001

Patricia M. Immisella
NOTARY

PATRICIA M. FEMMINELLA
NOTARY PUBLIC, State of New York
No. 30-4676943
Qualified in Nassau County
Commission Expires March 30, 2002

DISTRICT COURT : COUNTY OF NASSAU
CRIMINAL PART 9

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THE PEOPLE OF THE STATE OF NEW YORK

SHORT FORM ORDER
CPL § 180.50 REDUCTION

-against-

Felony Comp. No.: 25681/00

EDWARD L. WINCHESTER DEFENDANT. X

1. On 3 / 27 / 01 the Court, after inquiry, orders the reduction of the felony offense(s) listed in the above-referenced felony complaint to a non-felony offense(s).

2. The Court is satisfied that for each felony offense, there is a reasonable cause to believe that the defendant committed an offense other than a felony and for each felony offense:

- ☐ There is not reasonable cause to believe that the defendant committed a felony in addition to the non-felony offense, or
- ☐ Although, there is reasonable cause to believe that the defendant committed a felony in addition to the non-felony offense, the Court is satisfied that a reduction of the felony offense is in the interest of justice and the District Attorney consents to the reduction.

3. Pursuant to CPL § 180.50(3):

- ☐ The District Attorney is directed to file a prosecutor's information; or
- ☐ The complainant is requested to file
 - ☐ an information
 - ☐ a misdemeanor complaint; or
- ☒ The Court shall convert felony complaint or copy thereof through notations to
 - ☐ an information
 - ☐ a misdemeanor complaint.

4. Upon the filing of the information, prosecutor's information or misdemeanor complaint the felony charge of:

200.10 is reduced to a non-felony charge of 200.35

is reduced to a non-felony charge of _____
is reduced to a non-felony charge of _____
is reduced to a non-felony charge of _____
is reduced to a non-felony charge of _____

and the felony complaint is dismissed.

Dated: 3 / 27 / 01

ENTER:
William J. O'Brien
J.D.C.

HON. WILLIAM J. O'BRIEN

DISTRICT COURT OF THE COUNTY OF NASSAU

THE PEOPLE OF THE STATE OF NEW YORK

vs.

RESTITUTION AGREEMENT

EDWARD LANCASTER,

Defendant.

FELONY NO. 25681/00

I, EDWARD LANCASTER, having been charged with BRIBE RECEIVING IN THE THIRD DEGREE, in violation of Penal Law Section 200.10, a class D felony, and having been afforded an opportunity to plead guilty to two counts of OFFICIAL MISCONDUCT, in violation of Penal Law Section 195.00(1), class A misdemeanors, in satisfaction of the above charges, and after full consultation with my attorney, do acknowledge that as part of that plea, I have agreed to pay restitution to the following:

- 1) North Hempstead Housing Authority
Pond Hill Road, Great Neck, NY 11020
In the amount of \$4,739.00

AND


- 2) Freeport Housing Authority
3 Buffalo Avenue, Freeport, NY 11520
In the amount of \$1,675.00

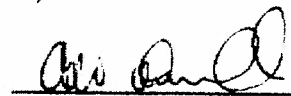
I have further agreed to waive any rights I may otherwise have to a hearing to determine the amount of restitution.

I understand that the District Attorney shall have the right to vacate my plea and restore the original felony charge to the calendar should I interpose any objection to the above restitution being part of any sentence that the court may hereafter impose.

Dated: Mineola, New York
March 27, 2001


EDWARD LANCASTER


BRIAN CAMERON, Attorney for Defendant.


COLIN F. O'DONNELL, Assistant District Attorney

NASSAU COUNTY PROBATION DEPARTMENT - CRIMINAL DIVISION
ORDER AND CONDITIONS OF PROBATION

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To: Name Edward Lancaster Date of Birth 1/9/42
Address: 181 Gibson Av Brentwood N.Y.
Having been (convicted of) (adjudicated as) 195.00/1 195.00 PL
under Docket # 2000NA025681

you are this day sentenced to probation for a period of 5 years under the supervision of the Nassau County Probation Department. While serving your probation sentence, you shall observe the following Conditions of Probation and any others which the Court may impose at a later date, and you shall also follow the instructions of the probation officer as to the way in which these Conditions are to be carried out.

Commission of an additional offense, other than a traffic infraction, as well as violation of any of the following conditions, constitutes grounds for the revocation of the sentence of probation, and imposition of a term of imprisonment, as specified in the New York State Penal Law and Criminal Procedure Law.

CONDITIONS:

- 1a. Report, to the Probation Department, at 101 County Seat Drive, 3rd Floor, Mineola; immediately after sentencing by the Court; or upon release from incarceration within one (1) business day.
- 1b. You are also required to Report to a probation officer, as directed by the Court or the Probation Department, and permit a probation officer to visit you at your home or elsewhere.
2. Remain within the jurisdiction of the Court unless granted prior permission to leave by the Court or a probation officer.
3. Answer all reasonable inquiries by a probation officer and notify the probation officer prior to any changes in address or employment.
4. Work faithfully at suitable employment or faithfully pursue a course of study or of vocational training that will equip you for suitable employment.
5. Avoid injurious or vicious practices and abstain from the unlawful use of controlled substances and marijuana.
6. Refrain from frequenting unlawful or disreputable places or consorting with disreputable persons.
7. Support your dependents and meet other family responsibilities and comply with all Court Orders.
8. At the direction of the Court or the Probation Department, undergo inpatient or outpatient medical, alcohol, substance abuse or psychiatric/psychological evaluation and/or treatment and remain in a specified institution or program until satisfactory completion, including all aftercare deemed necessary.
9. Submit to periodic tests to determine whether alcohol and/or controlled substances are being used.
10. Agree to waive extradition from any state or territory of the United States.
11. Submit to a warrantless search, of your person, property, residence or vehicle under probationer's control, by a probation officer (Section 2.20 of the New York State Criminal Procedure Law), for

(imposition of this Condition of Probation is warranted by the specific nature of the defendant's history and behavior, as set forth in the Pre-Sentence Report. The Court finds that periodic searches, undertaken by the Probation Department, pursuant to this condition, will serve to further the defendant's rehabilitation, by acting as a deterrent to similar behavior by the defendant in the future, as well as by assisting the Probation Department in monitoring the defendant's compliance with the terms of Probation, by facilitating the discovery of evidence of such behavior that, in the absence of such searches, would be difficult to detect.)

12. Consent to the release of all alcohol, substance abuse, medical and mental health information to a probation officer.
13. The probationer shall not be allowed to possess or own, concealed bladed instruments, weapons or simulated firearms, including but not limited to those defined in Section 265.00 of the New York State Penal Code, without express permission of the Court or the Probation Department.

SPECIAL CONDITIONS:

14. Make reparation or restitution to the aggrieved parties in the amount of 6,734.70 payable through the Probation Department at the rate of 182.42 per month, effective 6/24/01 and to be completed by _____.
15. Observe the attached special conditions related to alcohol.
(Check if applicable / _____/)
16. Serve _____ days in the Nassau County Correctional Center.
17. Submit a sample for DNA identification index, if convicted of a "Designated Offense" pursuant to Article 49-B Section 995 of the New York State Executive Law.
18. Other: _____

The period of probation shall expire on 5/23/04 unless terminated by the Court prior to the aforementioned date or when the sentence is tolled.

Dated this 24 day
of May, 2001

William J. Bair
Judge District Court

I have read or have had read to me and understand the above Conditions of Probation. I agree to abide by these Conditions. I have also been furnished a copy of said Conditions.

Dated this 24 day
of May, 2001

Witness:

Edward Lancaster
Probationer
Marie Aubrey
Probation Officer/Court Clerk